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20 **UNITED STATES DISTRICT COURT**
21
22 **NORTHERN DISTRICT OF CALIFORNIA**
23
24 **SAN JOSE DIVISION**

25
26 SAUNDRA JOHNSON,
27 individually, and on behalf of all
28 others similarly situated,

v.
Plaintiff,

Defendants.

Case No: CV11-05619 LHK
Assigned to Hon. Lucy H. Koh

**STIPULATION AND [PROPOSED]
ORDER CONTINUING THE
DEADLINES FOR PLAINTIFF'S
OPPOSITION TO SKY CHEFS, INC.'S
MOTION TO DISMISS THE FIRST
AMENDED COMPLAINT AND SKY
CHEFS, INC.'S REPLY IN SUPPORT
OF ITS MOTION TO DISMISS THE
FIRST AMENDED COMPLAINT**

1 Plaintiff Saundra Johnson ("Plaintiff") and Defendant Sky Chefs, Inc.
2 ("Defendant") (Plaintiff and Defendant collectively referred to as "the Parties"), by and
3 through their respective counsel, hereby stipulate and agree as follows:

4 **STIPULATION**

5 WHEREAS, on or about October 18, 2011, Plaintiff commenced a civil action in
6 Santa Clara Superior Court on behalf of herself and others similarly situated, entitled
7 *Saundra Johnson v. Sky Chefs, Inc.*, bearing Case No. 111CV211330;

8 WHEREAS, Defendant was served with the Complaint on or about October 20,
9 2011, and the First Amended Complaint ("FAC") on November 15, 2011;

10 WHEREAS, Defendant removed the state action to the above-captioned court on
11 November 21, 2011;

12 WHEREAS, Defendant filed a FRCP 12(b)(6) Motion to Dismiss the FAC (the
13 "Motion") on November 28, 2011, which is scheduled to be heard on March 8, 2012;

14 WHEREAS, pursuant to Civil Local Rule 7-3(a), the deadline for Plaintiff to file an
15 Opposition to Defendant's Motion is December 12, 2011;

16 WHEREAS, pursuant to Civil Local Rule 7-3(c), the deadline for Defendant to file
17 a Reply in Support of its FRCP 12(b)(6) Motion to Dismiss the FAC is December 19,
18 2011;

19 WHEREAS, as described in the accompanying Declaration of Alan Harris, the
20 parties have met and conferred regarding Defendant's Motion and desire to continue the
21 Opposition and Reply deadlines so that the Parties can engage in good faith settlement
22 negotiations in an effort to resolve this matter expeditiously and without further
23 unwarranted expense;

24 Therefore, the Parties stipulate and agree that:

25 1. Plaintiff will file and serve any Opposition to the Motion, supporting
26 memoranda and documents on or before January 9, 2011;
27 2. Defendant will file and serve any Reply in support of the Motion,

1 supporting memoranda and documents on or before February 15,
2 2011.

3 **IT IS SO STIPULATED.**

4 DATED: December 7, 2011

HARRIS & RUBLE

5 /s/ _____

6 Alan Harris
7 *Attorneys for Plaintiff*

8 DATED: December 7, 2011

LITTLE MENDELSON

9 *Rebecca M. Aragon*
10 *Attorneys for Defendant*

11 **PROPOSED ORDER**

12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13 DATED: December 12, 2011

14 *Lucy H. Koh*
15 HONORABLE LUCY H. KOH